

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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LIN KWOK KEUNG,

CASE NO: 1:22-cv-4466-LGS

Plaintiff,

vs.

**JOINT LETTER SUBMITTED  
PURSUANT TO INITIAL  
PRETRIAL CONFERENCE ORDER**

MAYS BEAUTY SALON & SPA INC.,  
a New York corporation, d/b/a MAYS  
BEAUTY SALON & SPA, and HUNG  
KANG INC., a New York corporation,

Defendants.

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Dear Judge Schofield,

This letter is jointly submitted by the parties pursuant to your Order for an Initial Pre-trial Conference [D.E. 9], dated June 24, 2022. The Initial Pretrial Conference is scheduled for Wednesday, November 30, 2022, at 4:10 p.m.

(1) Plaintiff filed this action for declaratory and injunctive relief pursuant to Article III of the Americans with Disabilities Act ("ADA"), alleging violation of the ADA and parallel New York State and City laws on the Defendants' property.

(2) Plaintiff invokes the jurisdiction of the Court pursuant to 28 U.S.C. §1331. Plaintiff also invokes supplemental jurisdiction over Plaintiff's claims under the New York Executive Law and the New York City Administrative Code pursuant to 28 U.S.C. § 1367.

(3) Subject matter jurisdiction in this matter is not founded on diversity of citizenship,

(4) Defendant Mays Beauty Salon & Spa, Inc. intends to file a FRCP 12(b) (6) motion to dismiss the complaint for failure to state a claim, unless Plaintiff agrees to file an amended complaint. Plaintiff will be filing an amended complaint.

(5) No discovery has occurred as of this date. The parties cannot ascertain at this time, what if any, discovery to be admissible under the Federal Rules of Evidence and material to proof of claims and defenses raised in the pleadings.

(6) The Plaintiff is requesting \$1,000 dollars in compensatory damages, plus attorney's fees and costs.

(7) No settlement discussions have taken place in this case to date. Defendant Mays Beauty Salon & Spa, Inc. does not consent to mediation at this time. Unless there are productive settlement discussion, Plaintiff will prefer a referral to Mediation.

(8) At this time, there is no other information that the parties believe may assist this Court in resolving the action.

Respectfully submitted,

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